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February 23, 2007

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

WRITER'S DIRECT NUMBER:  
(202) 772-8769

INTERNET ADDRESS:  
BSKELTON@SKGF.COM

Art Unit 1614

Attn: Mail Stop Amendment

Re: U.S. Utility Patent Application  
Application No. 10/575,276; Filed: April 11, 2006  
For: Synergistic Insecticide Mixtures  
Inventors: Andersch *et al.*  
Our Ref: 2400.0270000/VLC/BLS

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement under 37 C.F.R. § 1.97(b);
2. Form PTO/SB/08A (1 sheet);
3. Form PTO/SB/08B (1 sheet);
4. Copies of thirteen (13) references (documents FP1 - FP9 and NPL1 - NPL4); and
5. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

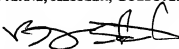
In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
February 23, 2007  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read 'Bryan L. Skelton', with a stylized flourish at the end.

Bryan L. Skelton  
Attorney for Applicants  
Registration No. 50,893

BLS/egw  
Enclosure(s)

645513v1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

ANDERSCH *et al.*

Appl. No.: 10/575,276

§ 371(c) Date: April 11, 2006

For: Synergistic Insecticide Mixtures

Confirmation No.: 8887

Art Unit: 1614

Examiner: *To Be Assigned*

Atty. Docket: 2400.0270000/VLC/BLS

**Information Disclosure Statement  
under 37 C.F.R. § 1.97(b)**

*Mail Stop Amendment*

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms, PTO/SB/08A and PTO/SB/08B, are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Copies of documents **FP1** to **FP9** and **NPL1** to **NPL4** are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), copies of U.S. patents and patent application publications, documents **US1** to **US9** cited on the attached IDS Form PTO/SB/08A, are not submitted.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following discussion of the relevance of the non-English language documents, **FP1**, **FP2**, and **FP6**, cited on Form PTO/SB/08A.

Document **FP1**, EP 0 192 060 A1, is in the German language. An English language equivalent of **FP1** is listed as document **US3**.

Document **FP2**, EP 0 235 725 B1, is in the German language. An English language equivalent of **FP2** is listed as document **US5**.

Document **FP6**, EP 0 580 553 B1, is in the German language. An English language equivalent of **FP6** is listed as document **US9**.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Bryan L. Skelton  
Attorney for Applicants  
Registration No. 50,893

Date: FEBRUARY 23, 2007

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*(Use as many sheets as necessary)*

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|-------|---|----|---|
| Sheet | 1 | of | 1 |
|-------|---|----|---|

**Complete if Known**

|                        |                       |
|------------------------|-----------------------|
| Application Number     | 10/575,276            |
| § 371(c) Date          | April 11, 2006        |
| First Named Inventor   | ANDERSCH, Wolfram     |
| Art Unit               | 1614                  |
| Examiner Name          | <i>To Be Assigned</i> |
| Attorney Docket Number | 2400.0270000/VLC/BL   |

## U.S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

640460v1

\*EXAMINER. Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and do not consider. Include copy of this form with next communication to applicant. \*Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. \*Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. \*Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. \*Applicant is to place a check mark here if:

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the complexity of the invention. If you have any questions regarding this form, please contact the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Equivalent of Form PTO/SB/08B (09-06)  
Approved for use through 03/31/2007. OMB 0651-0031  
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# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

## **Complete if Known**

Sheet 1 of 1

|                        |                      |
|------------------------|----------------------|
| Application Number     | 10/575,276           |
| § 371(c) Date          | April 11, 2006       |
| First Named Inventor   | ANDERSCH, Wolfram    |
| Art Unit               | 1614                 |
| Examiner Name          | To be assigned       |
| Attorney Docket Number | 2400.0270000/VLC/BLS |

## **NON PATENT LITERATURE DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T <sup>2</sup> |
|--------------------|-----------------------|--|----------------|
| /D.S./             | NPL1                  | Colby, S.R., "Calculating Synergistic and Antagonistic Responses of Herbicide Combinations," <i>Weeds 15:20-22</i> , Weed Society of America (1967)  |                |
| ↓                  | NPL2                  | Esp@cenet database, English language abstract for JP 2003-063911 A2  |                |
| ↓                  | NPL3                  | STN Database, Accession No. 2003:166933, English language abstract for JP 2003-063911 A2   |                |
| /D.S./             | NPL4                  | International Search Report for International Application No. PCT/EP2004/010912, European Patent Office, Netherlands, mailed on February 15, 2005  |                |
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|--------------------|---------------------|-----------------|------------|
| Examiner Signature | /Danielle Sullivan/ | Date Considered | 01/05/2009 |
|--------------------|---------------------|-----------------|------------|

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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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